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United States Department of Agriculture,

OFFICE OF THE SECRETARY—Circular No. 145.

GENERAL REGULATIONS GOVERNING THE IMPORTATION, MANUFACTURE, STORAGE, AND DISTRIBUTION OF FERTILIZERS AND FERTILIZER INGREDIENTS.

Promulgated by the President of the United States under the authority conferred on him by Act of Congress approved August 10, 1917, entitled "An Act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel."

ISSUED NOVEMBER 7, 1919.

GENERAL REGULATIONS GOVERNING LICENSEES ENGAGED IN THE BUSINESS OF IMPORTING, MANUFACTURING, STORING, OR DISTRIBUTING FERTILIZERS AND FERTILIZER INGREDIENTS.

Regulation 1. Fertilizers and fertilizer ingredients, wherever mentioned in these regulations, shall include sulphuric acid, phosphate rock, acid phosphate, bones (raw, ground, or steamed), bone black, basic slag, sodium nitrate, ammonium sulphate, cottonseed meal, slaughterhouse tankage, garbage tankage, castor pomace, fish scrap, base goods, cyanamid, calcium nitrate, dried blood, acidulated leather, hair, hoof meal, horn dust, ground leather, other unacidulated ammoniates, potash salts, cement dust, blast furnace dust, kelp ash, kelp char, dried kelp, wood ashes, cottonseed hull ashes, potassium nitrate, tobacco waste, mixed fertilizers, sulphur, and all other fertilizers and fertilizer ingredients.

Regulation 2. Licenses required, pursuant to the proclamation of the President of February 25, 1918, to engage in or carry on any business of importation, manufacture, storage, or distribution of any fertilizer or fertilizer ingredient, shall be prepared by the Law Department, License Division, United States Food Administration, shall have the signature of the Secretary of Agriculture affixed, and shall not be transferrable.

Regulation 3. Each licensee shall give to any representative designated for the purpose by the Secretary of Agriculture, whenever the said representative shall so require, any information concerning the business of the licensee. Such information shall be in writing or otherwise, and with or without oath or affirmation, as the said representative may require. Written reports, when requested by said representative, shall be made on blanks furnished by the Department of Agriculture, giving complete information regarding transaction in any fertilizer or fertilizer ingredient, which is imported, manufactured, refined, packed, purchased, contracted for, received, sold, stored, shipped, or otherwise handled, distributed or dealt with, by the licensee, or which is on hand, in the possession, or under the control, of the licensee, and any other information concerning the business of the licensee that such representative may require from time to time.

Regulation 4. Each licensee shall, during ordinary business hours, permit any representative of the Secretary of Agriculture, designated by him for the purpose, to enter the place of business of such licensee and inspect any and all property stored or held in possession or under the control of the licensee and all records of the licensee. All necessary facilities for such inspection shall be extended to the said representative by the licensee and his agents and servants. Said representative shall be the President's duly authorized agent for the purposes of this regulation.

Regulation 5. Each licensee shall keep such records of his business as shall make practicable the verification of all information given by him under these regulations.

Regulation 6. No agent or employee of the United States shall without the consent of the licensee concerned divulge or make known in any manner, while he is such agent or employee or thereafter, except to such other agents or employees of the United States as may be required to have such knowledge in the regular course of their official duties, or except in so far as he may be directed by the Secretary of Agriculture or by a court of competent jurisdiction, any facts or information regarding the business of any licensee which may come to the knowledge of such agent or employee through any examination or inspection of the business or accounts of the licensee, or through any information by the licensee pursuant to these regulations.

Regulation 7. A licensee shall not import, manufacture, store, distribute, sell, or otherwise handle any fertilizer, or fertilizer ingredients on any unjust, exorbitant, unreasonable, or discriminatory and unfair commission, profit, or storage charge.

Regulation 8. A licensee shall not resell any fertilizer or fertilizer ingredients, within the same trade, without reasonable justification. Any such resale without reasonable justification, especially if tending to result in a higher market price to the retailer or consumer, will be deemed to be a wasteful practice.

Regulation 9. A licensee shall not buy, contract for, sell, store, or otherwise handle or deal in any fertilizer or fertilizer ingredient, for the purpose of unreasonably increasing the price or restricting the supply of any such commodity, or of monopolizing, or attempting to monopolize, either locally or generally, any such commodity.

Regulation 10. A licensee shall not knowingly commit waste or willfully permit preventable deterioration in connection with the production, importation, manufacture, storage, distribution, or sale of any fertilizer or fertilizer ingredient.

Regulation 11. Each licensee shall report in writing to the Secretary of Agriculture, within ten days thereafter, any change of address, or any change in the management, control, ownership, or character of the business of the licensee.

Regulation 12. A licensee shall not, without the express sanction of the Secretary of Agriculture, sell any fertilizer or fertilizer ingredient to any person engaged in the business of selling or utilizing such commodity or any derivative therefrom, if the licensee has knowledge that such person, after this regulation has become effective, has violated the provisions of the aforesaid act of Congress, approved August 10, 1917, by making an unjust or unreasonable rate or charge in selling or otherwise handling or dealing in such commodity or by holding, contracting for, or arranging for a quantity thereof in excess of the reasonable requirements of his business for use or sale by him for a reasonable time.

Regulation 13. A licensee shall not make any misleading representation which tends to enhance the price of any fertilizer or fertilizer ingredient. The issuing or making public of market quotations, or any statement to any person regarding the price at which any fertilizer or fertilizer ingredient is being sold, which quotations

or statement can not be verified either from the records of such licensee or from the records of other licensees, shall be considered as making such a misleading representation.

Regulation 14. The words used in these regulations shall be construed to import the singular or the plural, as the case demands. The word "person," wherever used in these regulations, shall include individuals, partnerships, associations, and corporations.

Regulation 15. The general rules and regulations as to food commodities, effective November 1, 1917, under the food control act, shall not apply to fertilizers and fertilizer ingredients.

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In accordance with my proclamation of February 25, 1918, and pursuant to the authority conferred on me by the act of Congress, approved August 10, 1917, entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," the foregoing regulations are hereby prescribed and promulgated to govern persons licensed to engage in and carry on any business of importation, manufacture, storage, or distribution of fertilizers or fertilizer ingredients.

Done in the District of Columbia this twenty-fifth day of February, 1918.

WOODROW WILSON,
President.



